

## MEMORANDUM AND REPORT

TO: Members of the Board of Bishops

FROM: Bishop William H. Watson, III, Secretary of the Board of Bishops

DATE: March 29, 2017

RE: *Kimberly D. Pollard v. Bishop James L'Keith Jones*

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The Executive Committee of the Board of Bishops submits this Memorandum and Report regarding the sanctions it recommends be imposed upon Bishop James L'Keith Jones, Jurisdictional Prelate of the New Mexico Ecclesiastical Jurisdiction of the Church of God in Christ ("Respondent") in the above-referenced matter.

As you know, on May 20, 2016, Kimberly D. Pollard ("Complainant") filed with the Board of Bishops charges against Respondent alleging that she and Respondent committed adultery over a period of 20 years, in violation of the rules and regulations of the Church of God in Christ ("Complaint"). She has provided video footage and pictures to support her allegations. The Complaint was forwarded to the Grievance Committee for investigation. On September 21, 2016, after completion of its investigation, the Grievance Committee issued by majority vote a Statement of Alleged Violations, attached as Exhibit A. The original Complaint set forth four counts of misconduct, contending that Respondent had violated the proscriptions of the Bible and the rules and regulations of the official manual of the Church of God in Christ ("COGIC Constitution"). Ultimately, the Grievance Committee recommended that there was just cause to proceed to trial on Counts I, II, and IV of the Complaint.

As you also know, on November 10, 2016, the Board of Bishops by a majority of its members present and voting agreed to advance the matter to trial before Respondent's peers. Afterwards, Bishop John H. Sheard, Chairman of the Board of Bishops, set this matter for trial for January 17, 2017. Later, the trial was continued until May 30, 2017 at the COGIC Women's Convention convening in Orlando, Florida.

On February 28, 2017, the Respondent, by and through his attorney, Vicky J. Currie, determined to exercise his rights, pursuant to Rule of Trial Procedure 7(c) which allows him to avoid an adjudicatory and sanction hearing but nevertheless resolve the charges set forth in the Statement of Alleged Violations. As required by Rule 7(c), Bishop Jones admitted to Counts I, II, and IV of the Statement of Alleged Violations. Respondent also waived his right to a sanction hearing in that same communication.

Subsequent to the February 28<sup>th</sup> communication from Respondent's attorney, the Executive Committee met to consider the appropriate sanctions to be imposed on Respondent as required by Rule 7(c). The specific sanctions recommended by the Executive Committee by a

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majority of its members present and voting are set forth in the proposed Final Order and Judgement, attached to this Memorandum and Report as Exhibit B. The Executive Committee's Recommendation was timely submitted to Bishop James L'Keith Jones' attorney.

The sanctions recommended by the Executive Committee consider and take into account the nature and severity of the charges to which Respondent had admitted; the impact of his behavior on the reputation of the Board of Bishops and to the Church at large; and his willingness to spare the Board of Bishops and the Church the burden of prosecuting him through the adjudication process. To that end, the Executive Committee recommends that the Board of Bishops adopt by an affirmative vote of its members who are registered and present that the sanctions set forth in the proposed Final Order and Judgment be imposed upon Bishop James L'Keith, and issue a final order in this matter.

Finally, on March 24, 2017, Ms. Currie submitted on behalf of Bishop Jones as permitted by Rule 7(c) his views regarding the proposed Final Order and Judgment. His response is attached to this memorandum as Exhibit C. If you have any questions or comments, please contact me at (806) 438-2323 or at my e-mail address [bishopwhwatsoniii@gmail.com](mailto:bishopwhwatsoniii@gmail.com).

Respectfully Submitted,

/s/ *William H. Watson, III*

Bishop William H. Watson, III

# **EXHIBIT A**

**Bishop James L'Keith Jones**  
**STATEMENT OF ALLEGED VIOLATIONS**





**BEFORE THE BOARD OF BISHOPS  
CHURCH OF GOD IN CHRIST, INC.  
CHAIRMAN, BISHOP JOHN H. SHEARD**

**IN RE BISHOP JAMES L'KEITH JONES**

**STATEMENT OF ALLEGED VIOLATION**

1. On or about May 8, 2016, Kimberly D. Pollard wrote a letter to Bishop John H. Sheard, Chairman of the Board of Bishops, Bishop Joel H. Lyle, Jr., General Secretary of the Church of God, and several others enclosing her complaint against Bishop James. L'Keith Jones, Jurisdictional Prelate of the New Mexico Jurisdiction (the "Complaint").

2. In her Complaint, she alleges that Bishop Jones violated "the statutes of the Bible, the rules and regulations of the Official Manual of The [sic] Church of God in Christ, Inc." The Complaint contained several attachments, including but not limited to, screen shots of text messages purportedly between Ms. Pollard and Bishop Jones, and two frontal pictures of a nude African-American male.

3. The Complaint sets forth four counts against Bishop Jones. First, Ms. Pollard contends that Bishop Jones failed to abide by the rules and regulations of the Church of God in Christ in violation of Article VIII, §D, ¶1(a) -- failure to abide by the rules of the Church. Specifically, she asserts that Bishop Jones failed to adhere to the dictates of the Church of God in Christ Sexual Misconduct Policy, which provides that members of the Board of Bishops cannot engage in sexual misconduct of any kind.

4. Second, Ms. Pollard makes a separate claim under the same provision of the COGIC Constitution, Article VIII, §D, ¶1(a), alleging that Bishop Jones coerced her into participating in "extra martial acts" with him. She also alleges that he exploited her by using his ministerial position to convince her to enter into and to continue the relationship. She claims that the coercion and the exploitation are both violations of the rules of the Church.

5. Third, Ms. Pollard alleges that Bishop Jones breached the COGIC Constitution by using his position of authority to engage in sexual acts with her as a minor, and then using his position of authority to coerce her into the continuation of this acts after he was married. Both actions, she contends, violate Article VIII, §D, ¶1(b) -- misfeasance, malfeasance, or nonfeasance in office.

6. Finally, Ms. Pollard alleges that because she and Bishop Jones had sexual intercourse, that she and Bishop Jones committed adultery. Ms. Pollard defines adultery as voluntary sexual intercourse of a married person with a person other than the offender's husband or wife. Ms. Pollard contends that she was never married to Bishop Jones. She contends that they had sexual intercourse. Ms. Pollard contends that the adultery was on a continuous basis during his marriage. She also contends that the act of adultery directly violates the commandments of the Bible, and "makes [him] unfit to Shepard the people of God." She claims that adultery constitutes conduct unbecoming a Bishop, in violation of Article VIII, §D, ¶1(h).

7. The Complaint was signed and notarized by Ms. Pollard.

8. On or about May 23, 2016, Bishop Larry Shaw, Secretary of the Board of Bishops, acknowledged receipt of the Complaint and the Complaint was officially forwarded to the Grievance Committee.

9. On or about May 24, 2016, Bishop Roy Dixon, Chairman of the Grievance Committee, contacted both parties and acknowledged receipt of the Complaint. In this communication, he informed Bishop Jones that he had the opportunity to provide a written statement responding to the Complaint and requested that the statement be submitted no later than June 23, 2016.

10. As a part of the investigation, on or about May 28, 2016, Bishop Dixon wrote Bishop Jones and attached a copy of Exhibit B of the Complaint and requested that Bishop Jones "confirm or deny that the person in [the] image" was him.

11. On or about May 29, 2016, Ms. Pollard provided to the Grievance Committee a series of videos – some of which were created on the "Glide" platform. She also produced additional photographs. Ms. Pollard claimed that all of these items supported her claim that she and Bishop Jones were engaged in a sexual relationship. All of these items were forwarded to Bishop Jones and his counsel.

12. On or about June 8, 2016, Bishop Jones filed a Motion for a Bill of Particulars. He argued that the details of the Complaint were "extremely vague" and thus, he could not give a reasonable response. The items about which he was concerned were that the Complaint contained unknown places of stated events; that the facts regarding certain conversations were overly general and ambiguous; and that there was a lack of timeframes and/or dates in the Complaint.

13. On June 10, 2016, Bishop Jones' Motion for a Bill of Particulars was denied as premature. Under the Rules of Trial Procedure, a Motion for a Bill of Particulars would only be proper following the investigation by the Grievance Committee, and only after the Grievance Committee has issued a Statement of Alleged Violation. A Motion of this type cannot thwart the work of the Grievance Committee.

14. The Board of Bishops adheres to the notice pleading concepts as most members of the Church are not experienced legal practitioners. The duty of the Grievance Committee is to ascertain the detailed facts through the investigatory process. The Complaint and attachments provided Bishop Jones sufficient notice of the nature of Ms. Pollard's allegations. At that point, the Grievance Committee had not issued a Statement of Alleged Violations because it was engaged in its investigatory process. Moreover, under the Rules of Trial Procedure adopted by the Board of Bishops in April 2016, Rule No. 8 no longer has a provision for a Bill of Particulars.

15. Thus, on or about June 27, 2016 Bishop Jones submitted his response to the Complaint. He argued that the Complaint contained innuendo, speculative assertions, and lacked specific events and details that are necessary to support her allegations. He also argued that the Board could only consider the Complaint if the alleged violation occurred within the previous 10



years or if the Complaint alleges that Respondent engaged in behavior to cover up or hide the violation.

16. Bishop Jones argued in part that Counts I, II, III and IV should be dismissed because the actions alleged occurred in a time period greater than 10 years before the Complaint was filed.

17. He argues that in Ms. Pollard's Statement of Facts, all that she asserts is "that 'in 2014 [they] reconnected sexually'." Bishop Jones contends that this allegation does not provide any specific instances of sexual misconduct, sexual harassment, sexual intercourse or other sexual contact that would constitute a violation of the governing regulations of the Church.

18. In his response, Bishop Jones challenges Ms. Pollard's contention that he made an inappropriate statement to her daughter in a video message. He concedes that he made the video statement and that it might have been in "bad taste" but he challenges the notion that the video message to Ms. Pollard and her daughter rose to a level of sexual misconduct, malfeasance, or conduct unbecoming a Bishop.

19. Bishop Jones further contends that "the several videos and few photos provided by Ms. Pollard" lack time stamps "which could be used to identify any of the occurrences with specificity." He then goes on the offensive and asserts that the only thing that the videos prove is that Ms. Pollard "violated Bishop Jones privacy rights on multiple occasions by filming him without his permission". He argues further that there is no way to establish that it was Ms. Pollard taking the video and that the video of the naked man are blurred "beyond recognition."

20. He denies that Ms. Pollard would have had the opportunity to take such a photo, and then denies that the photo is of him. He says that the Complaint lacks the notary language required by the Rules of Trial Procedure and therefore the Complaint should not be considered.

21. On or about July 11, 2016, the Grievance Committee by and through its counsel requested through Bishop Jones counsel, Ahmad Assed, that Mr. Jones be made available for an interview by the Grievance Committee on this matter. Mr. Assed was assured that the meeting would be an interview and not an ambush.

22. On July 11, 2016, Mr. Assed responded that it was Bishop Jones' position that his "June 27, 2016 informal response to Ms. Pollard's allegations was clearly written and contain[ed] all of the information Mr. Jones [would] be offering in this matter." Mr. Assed then went on to inquire "as to any incentive being offered to Mr. Jones for interviewing with the Board." He claimed to not see any benefit to submitting to the interview.

23. On or about July 14, 2016, Bishop Jones' counsel wrote the Grievance Committee again and complained about the about distribution of some of the photos via VoIP and from the Twillo provider throughout the brotherhood.

24. On that same day, counsel for the Grievance Committee responded to Mr. Assed and informed him that the Board of Bishops had no knowledge of the distribution of the information, and that no member of the Grievance Committee had distributed the information or

was responsible for the distribution by others. He informed Mr. Assed that in all likelihood this information was being distributed by the Complainant and that the Rules of Trial Procedure only applied to the Board of Bishops and that we had no direct control over her in that regard – particularly since there was no Confidentiality Agreement or Protective Order in this case or any other case.

25. In this same communication, Counsel for the Board of Bishops again requested on behalf of the Grievance Committee an opportunity to interview Bishop Jones.

26. On July 18, 2016, Bishop Jones' counsel seemed to indicate that Bishop Jones finally would be willing to submit to an interview. However, his counsel wanted to know exactly who would be interviewing him, the nature of the questions being asked, and whether the interview would be recorded.

27. On July 19, 2016, the Grievance Committee by and through counsel responded in the following manner:

"[T]he Grievance Committee appreciates your client's change of heart and willingness to participate in an interview so that the Grievance Committee can complete its duty to determine whether there is just cause to proceed with a trial or make some other recommendation to the Board of Bishops. As a lawyer, I am sure you desire certainty. However, in terms of the attendance at the interview, we cannot give you the kind of certainty that you are likely looking for. It's a very fluid process. I have already told you that the interview is likely to be conducted by Bishop Roy Dixon (Chair) and Bishop Roger Jones (Vice Chair). However, other members of the Grievance Committee could attend – depending on the schedule etc. I will also likely be there. You want to know about the nature of the questions? The questions will relate to the content of the complaint, the exhibits attached to the complaint, the subsequent videos provided by the complainant, and any other relevant matter that would help the Grievance Committee determine whether there is just cause to trial. The rules provide, however, that if anything else comes up in the course of the investigation, the Grievance Committee would have to seek permission from the Board of Bishops to broaden the scope. I only mention that so that your client has some assurance that there are limits to the scope of the discussion.

Your client could help the Grievance Committee by taking the exhibits and videos that the Complainant has provided us and informing the Grievance Committee whether he agrees or disagrees that: a) the videos, text or other electronic communications were sent by him; b) the images in the pictures and or video are him; and 3) if the answer to 1 or 2 [are] yes, were they recorded in the last 10 years. If the answer to questions 1 and 2 are "no" -- that these images are not him, or if he didn't send the text messages, have him explain in writing, if he knows, his theory on how Complainant obtained these images. The answer to these questions, would aid the Grievance Committee a great deal.

We cannot commit to not recording the interview. It is not the plan to do so at this time. Of course, if that changes, we will let you know. Interviews conducted by the Grievance Committee are not a deposition and are not typically under oath. Do you think that it



should be? The typical nature of these interviews is that it is cast as a discussion between colleagues amongst the Board of Bishops. And those colleagues will share with the other members of the Grievance Committee what they learned during the interview. The expectation is that your client would be truthful, and that there would be no need to place him under oath. However, in the past and on occasion, the Grievance Committee has asked for declarations or admissions after the interview to aid it in its process of bringing these matters to conclusion.”

28. The requested interview was never scheduled.

29. On July 20, 2016, Bishop Jones filed a motion for a protective order.

30. On or about July 25, 2016, Ms. Pollard submitted a detailed affidavit to the Grievance Committee providing dates and times of specific events referenced in the Complaint and additional videos and photographs of herself and an African-American male whom she identifies to be Bishop James L. Keith Jones.

31. On August 10, 2016, Ms. Pollard’s counsel responded to the Motion for a Protective Order. Mr. McDonald explained that he was unaware of a court filing regarding a Protective Order. He suggests that he is not bound by the Board of Bishop’s Rules of Trial Procedure.<sup>1</sup>

32. The Grievance Committee, pursuant to Rule of Trial Procedure No. 6, has considered the evidence before it, has determined by a majority of its members present and voting that there is just cause to believe that Bishop James L’Keith Jones violated the Official Manual, or law, rule, regulation or other standard of conduct applicable to the performance of the official duties or the discharge of official responsibilities of a member of the Board of Bishops. It is difficult to imagine a circumstance more appropriate for trial where there is competing assessments of video, e-mails and text messages. The only appropriate action is for the Board of Bishops at large to determine the authenticity, truthfulness, legitimacy of the statements, documents, photos and video and conclude whether they are consistent with the allegations advanced by the Complainant. In particular the violations are as follows:

**COUNT ONE**  
**FAILURE TO ABIDE BY THE RULES AND REGULATIONS OF THE COGIC**  
**(Article VIII, Section D, ¶1(a))**

33. The Grievance Committee incorporates by reference the preceding paragraphs 1-32 into this Count I.

34. Ms. Pollard alleges that she and Bishop Jones have been involved in a sexual relationship on and off basis since she was 16 years old – approximately 20 years. In this

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<sup>1</sup> While the Board of Bishops has not yet ruled on the Motion for a Protective Order, Ms. Pollard has availed herself of the Church of God in Christ ecclesiastical adjudicatory process by filing a Complaint with the Church. If she or her counsel does not desire to adhere to the rules and procedures of this Church, she is free to withdraw her claim. But to the extent that she desires to avail herself of the church process, she will be compelled to abide by the church’s rules.



connection, she contends that he used his position of authority to exploit her and to coerce her to submit to an illicit and immoral relationship.

35. Ms. Pollard provides the details of the relationship in both her Complaint and in her affidavit regarding the alleged sexual relationship. For example,

- a. Ms. Pollard states she was 15 when they met and that she was 16 when they had their first sexual encounter in Albuquerque, NM in August 1995. *See* Complaint, pg. 2; *see also* Pollard Aff., ¶¶1-2.
- b. Ms. Pollard states that they had sex again in 1998 in Hobbs, NM. *See* Pollard Aff., ¶5. She even identified the vehicle where they had sex – Mitsubishi Montero SUV. *Id.*
- c. She attaches to her Affidavit as Exhibit 45A a copy of a 2014 text message allegedly between she and Bishop Jones where it appears that they were discussing the 1998 sexual encounter in detail. The discussion includes lewd details of the alleged sexual encounter. This text message shown on Exhibit 45A is between Ms. Pollard and a phone number – (505) 453-1118. This same phone number is listed in the Board of Bishops records as belonging to Bishop Jones.
- d. Ms. Pollard alleges in the Complaint that in 2014, she and Bishop Jones “reconnected sexually”. In her affidavit, she describes in detail how they reconnected. *See* Pollard Aff., ¶7. She provides the time frame -- November 2014. *Id.* She provides the location – Overton Hotel, Room 1306. *Id.*
- e. She says that in December 2014 she and Bishop Jones met in Clovis, NM and had sex in a Hampton Inn, Room 107. *See* Pollard Aff. ¶8. She submits exhibits 48:1-4 (text messages allegedly between Ms. Pollard and someone at (505) 453-1118) to support the proposition that she was with him that evening. *Id.*
- f. She also attaches two videos to her affidavit – Exhibits 48:5 and 48:6 which shows an African-American male that has a strong resemblance to Bishop Jones exiting a bathroom in what appears to be a hotel room. There are two voices in the first video – one of a female and the man speaking sounds like Bishop Jones. *See* Exhibit 48:5<sup>2</sup>.
- g. In the second video documenting the Clovis, NM encounter – Exhibit 48:6 – Ms. Pollard records items that are in the closet in the hotel room. In this video, she shows her face. The clothing items she shows are clearly belongs to a male. She records the shoes and boots, the brands – Ecco and Johnston & Murphy; she documents the shoe size – size 12. She goes

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<sup>2</sup> At one point in the video attached as Exhibit 48:5, the parties in the video discuss a child named Jireh. According to the Complaint, Jireh is the name of Ms. Pollard’s daughter.

through the luggage of the individual and records some of the items that are in the luggage: a black Kangol baseball hat; a paisley tie; a male virility supplement; condoms – Trojan Enz, and a gold cross commonly worn by Bishops in this Church.

- h. Significantly, the most recent sexual encounter occurred January 27, 2016 when Bishop Jones travelled to Lubbock, TX and met Ms. Pollard at the Embassy Suites for her birthday. She claims they had “sex several times.” See Pollard Aff., ¶9. Ms. Pollard states in her Affidavit that Bishop gave her a Samsung Tablet as a birthday gift. *Id.* She supports this allegation with text messages to and from the phone number (505) 453-1118. Exhibit 52:3 is particularly interesting because it shows an African-American male in the background that appears to be Bishop Jones standing in what appears to be a hotel room with Ms. Pollard. Exhibits 52:4-7 are much clearer and are pictures of Ms. Pollard and a man that appears to be Bishop Jones. Exhibits 53:1-53:3 are additional photos produced by Ms. Pollard which are text messages between Ms. Pollard and someone at (505) 453-1118, where she models a necklace that the person at (505) 453-1118 allegedly purchased for her and the person responds via text message -- “Looks great” and “I miss you too, Kim.”
- i. Another video recorded during the same encounter, Exhibit 52:12, is a recordation of a naked African-American male coming out of a shower wrapped in a towel in what appears to be a hotel room. The man appears to be Bishop Jones. The voice in the video seems to match the voice in Exhibit 48:6 where Ms. Pollard identifies herself.
- j. She provides multiple Glide videos of an African-American male who she claims is Bishop Jones making lude sexual gestures. The person in the Glide videos is an African-American male which bears a strong resemblance to Bishop Jones. One of the videos that was sent to Ms. Pollard was apparently recorded while a man that resembles Bishop Jones was sitting in the chambers of the Board of Bishops. We know that it is in the chambers because the man that appears to be Bishop Jones says to the camera “long conference” and in the background is the voice of Bishop John H. Sheard. We know that it is Bishop Sheard speaking because he references Bishop Harvey Lewis, the Chaplin of the Board of Bishops and Bishop Sheard refers to another Bishop as “his friend for real”, which is an idiom or expression of endearment that Bishop Sheard uses frequently.

36. The most compelling piece of evidence in terms of just cause determination is a 13-second video clip submitted by Ms. Pollard where there are two voices (male and female) and a picture of a nude African-American male getting into a bed. She claims that the individuals in the video are she and Bishop Jones. While he says that the video is blurry, the male in the video at least bears a strong resemblance to Bishop Jones, and the voice seems to be his. This video was provided to the Grievance Committee by Ms. Pollard on May 29, 2016.



37. In support of her claim, Ms. Pollard cites to the Rules of Operation of the Board of Bishops which provides that "the Board of Bishops expects the highest biblically based moral behavior of all its members". She also references the Sexual Misconduct Policy of the Church of God in Christ.

38. Bishop Jones argues that actions taken more than 10 years ago should not be considered by the Board of Bishops. Bishop Jones misreads the Rules of Trial Procedure. Rule of Trial Procedure 3(g)(2) provides that the Board of Bishops can consider "matters of sexual misconduct set forth in the Sexual Misconduct Policy Handbook promulgated by the Office of General Counsel of the Church of God in Christ" if the "alleged violations occurred within the previous ten (10) years". Ms. Pollard alleges that she and Bishop Jones had sexual intercourse in 2014, 2015 and 2016. She not only alleges such, she provides dates, hotel rooms and other details that would warrant full consideration by the Board of Bishops. The factual information that she provides prior to that time period is not the sole basis of the decision of the Board of Bishops, and only provides context for her claims.

39. Bishop Jones denies these actions, but the evidence provided by Ms. Pollard is sufficient to warrant a trial on these issues. The Grievance Committee is left with no choice but to submit this matter -- whether Bishops Jones' alleged actions violate the rules and regulations of the Church -- to the Board of Bishops for trial because among other things, it appears that the pictures of the nude man in bed with Complainant are pictures of Bishop Jones, and without evidence to the contrary and without a full explanation from Bishop Jones a trial is the only alternative.

40. WHEREFORE, the Grievance Committee finds that there is just cause to believe that Bishop James L'Keith Jones, Jurisdictional Prelate of the New Mexico Jurisdiction has violated Article VIII, §D, ¶1(a) of the COGIC Constitution by engaging in sexual acts with Ms. Kimberly Pollard to whom he is not now nor has ever been married.

**COUNT TWO**  
**FAILURE TO ABIDE BY THE RULES AND REGULATIONS OF THE COGIC**  
**(Article VIII, Section D, ¶1(a))**

41. The Grievance Committee incorporates by reference the preceding paragraphs 1 through 40 into this Count II.

42. Ms. Pollard alleges that Bishop Jones coerced her into participating in the extra marital acts of Bishop Jones. She also claims that he exploited her. She cites to the 2009 Sexual Misconduct Policy Handbook of the Church of God in Christ as a basis for her claim that the alleged coercion and exploitation was a violation of the Church's rules and regulations.

43. She contends that his actions violate the rules and regulations of the Church -- i.e., prohibition against sexual abuse and sexual harassment; sexual abuse within the ministerial relationship involves the betrayal of sacred trust, a violation of the ministerial role and exploitation of those who are vulnerable; exploitation of a power relationship rather than as an exclusively sexual issue.

44. Bishop Jones' only defense to Count II is that Ms. Pollard only cites to "a single relevant event allegedly occurring within the past 10 years, in which [she] claims that the Respondent coerced her into participating in the extra marital acts of the Respondent."

45. He goes on to say that Ms. Pollard fails to specify any sort of specific times, dates, locations or specific conduct that would be necessary to support those allegations.

46.\* The Grievance Committee agrees that Ms. Pollard's initial complaint failed to clearly articulate her claim. But she did provide the basic nuts and bolts to ferret out the meaning of her charge. It is abundantly clear from the four corners of the Complaint and from her supporting affidavit that she believes that Bishop Jones initially used his position as a minister and then later as a Bishop to coerce her into an extra-marital relationship and then continue that relationship into the recent past using those same tactics.

47. It must be stated that the Grievance Committee is not oblivious to the fact that Ms. Pollard shares some culpability. However, the rules of the Board of Bishops and the COGIC Constitution is only concerned with policing the behavior of COGIC's leadership notwithstanding the culpability of Ms. Pollard, as Bishop Jones' paramour. Righteous living requires discipline and self-control.

48. The Grievance Committee rejects Bishop Jones' defense for two reasons. First, in her detailed affidavit Ms. Pollard provides a plethora of specific examples of times, dates and activities so support her claim. In addition to the examples set forth in the paragraphs above, she presents to the Board of Bishops copies of text messages wherein Bishop Jones and she are discussing his planned divorce from his current wife and his plans to marry Ms. Pollard. See Complaint, Exhibit 18. What can be more classic in terms of coercion than the man promising the "other woman" that he's going to leave his wife for her? To the extent that the Prosecuting Authority is able to establish that the text messages are actually from Bishop Jones, there is ample evidence to establish coercion.

49. In addition, Ms. Pollard produces pictures of flowers and gifts that he gave her over the past few years. Giving gifts of this type to a vulnerable single woman is arguably coercive behavior.

50. Finally, Ms. Pollard produces text messages allegedly from Bishop Jones showing that he requested that she "pray" for him. It appears as if he used all of the classic COGIC language and symbols to gain her attention and garner her favor. Using the aura of his office to maintain his relationship with Ms. Pollard could arguably constitute exploitation of the COGIC culture, belief system, and his position. He allegedly met her at COGIC meetings and conferences. He allegedly called her out of service to meet her at some pre-determined rendezvous. Of course, the question of trial is whether the videos which purport to be of Bishop Jones, the text messages which purport to be to and from Bishop Jones can be authenticated and whether certain items in the video actually belong to Bishop Jones. The answer to all of these questions, of course, is for a jury to determine. The Grievance Committee alone cannot determine guilt unequivocally, but there is certainly just cause to believe that Bishop Jones violated COGIC's rules in this regard. The final determination will have to be made by the Board of Bishops at large.



WHEREFORE, the Grievance Committee finds there is just cause to believe that Bishop James L'Keith Jones, Jurisdictional Prelate of the New Mexico Jurisdiction, failed to abide by the rules and regulations of the Church of God in Christ by coercing Ms. Pollard and by exploiting his position to continue in an extra-marital affair.

**COUNT THREE**  
**MISFEASANCE, MALFEASANCE, OR NONFEASANCE IN OFFICE**  
**(Article VIII, Section D, ¶1(b))**

51. The Grievance Committee incorporates by reference into this Count III the preceding paragraphs 1 through 50.

52. In Count III, Ms. Pollard alleges that Bishop Jones engaged in "misfeasance, malfeasance, or nonfeasance in office". She then sets forth the definition of Malfeasance from Black's Law Dictionary, and the definition of Statutory Rape from the same source.

53. Ms. Pollard's Count III lacks precise detail and explanation as to what she is alleging. But she does state in her statement of facts that she met Bishop Jones when she was 15 and Bishop Jones was 29. In her affidavit, she states that she met Bishop Jones in 1994, and provides her birthdate and the Bishop Jones' birthdate to confirm their ages at the time.

54. Ms. Pollard asserts that she was unable to give consent to sexual intercourse while she was a minor. So at least one aspect of her Count III is her claim that Bishop Jones committed statutory rape.

55. Ms. Pollard alleges in the Complaint that in August 1995 that their relationship turned sexual and that they had sex during the Holy Convocation in 1995 in Albuquerque, NM. She does not allege that he was a Bishop at that time.

56. After they had sex, she states in her affidavit that Bishop Jones told her, as a 16 year old girl, that a sign of maturity was to live life and not to ask a lot of questions.

57. Bishop Jones' only response to Count III is that the allegations are over 10 years old and therefore should be disregarded. He provides no other response.

58. Ms. Pollard, however, also alleges that after she became an adult, Bishop Jones "used his position of authority to coerce the continuation of these unlawful acts". She is apparently referring to the unlawful act of statutory rape. She is not clear.

59. The Grievance Committee finds that Ms. Pollard does not adequately state a claim that Bishop Jones engage in "misfeasance, malfeasance, or nonfeasance *in office*". First, obviously, at the time of the alleged facts, Bishop Jones did not hold the office of a Bishop. Thus, none of his acts at that time were while he was "in office." Second, in New Mexico the age of consent is 16. New Mexico Code 30-9-11(F) -- rape of a minor by penetration. She concedes that she was 16 at the time of their first sexual encounter. Thus, he did not commit statutory rape.



60. It is worth noting, however, that had Ms. Pollard been less than 16 at the time of the first sexual encounter, and since Bishop Jones was over 18 at the time and at least 4 years older than Ms. Pollard, his actions would have clearly constituted statutory rape in the State of New Mexico. The only question remaining then would be whether his actions afterwards could be construed as "behavior to cover up the violation" such that the 10 year statute of limitations under the Board of Bishops Rules of Trial Procedure would have been tolled.<sup>3</sup> Fortunately for Bishop Jones, since there was no statutory rape, statute of limitations is not an issue.

WHEREFORE, the Grievance Committee does not find there is just cause to believe that Bishop James L'Keith Jones, Jurisdictional Prelate of New Mexico Jurisdiction, violated Article VIII, §D, ¶ 1(b), by committing misfeasance, malfeasance or nonfeasance in office.

**COUNT FOUR**  
**CONDUCT UNBECOMING A BISHOP**  
**(Article VIII, Section D, ¶1(h))**

61. The Grievance Committee incorporates by reference into this Count IV the preceding paragraphs 1 through 60.

62. Ms. Pollard alleges that Bishop Jones engaged in conduct unbecoming a Bishop in violation of Article VIII, §D, ¶1(h) of the COGIC Constitution. She defines adultery to be "voluntary sexual intercourse of a married person with a person other than the offender's husband or wife." She alleges that his acts of adultery constituted conduct unbecoming a Bishop. It is without question that adultery is biblically prohibited and fidelity is one of the enumerated standards for the office of a Bishop. *See* 1 Timothy 3:2, 12; Titus 1:6.

63. Bishop Jones responds that the acts about which Ms. Pollard complains are barred by the applicable statute of limitations. He makes no other response.

64. The Grievance Committee disagrees. The argument that her claims are barred by the statute of limitations is simply meritless and almost insulting. Ms. Pollard declares in her affidavit that she and Bishop Jones had sexual intercourse THIS YEAR. January 2016 is within the actionable time period. She has clearly met that statute of limitations hurdle.

65. Given all of Ms. Pollard's allegations, there is no question that there is just cause to believe that Bishop Jones engaged in conduct unbecoming a Bishop. In addition to the aforementioned facts, Ms. Pollard provides copies of text messages allegedly attributable to him where he uses foul language. *See* Pollard Aff., Exs 50:3-50:4. She attaches copies of Glide videos where an African-American man, which appears to be Bishop Jones, makes lude sexual gestures clearly suggesting sexual acts that he would perform with or on Ms. Pollard. If anything is unbecoming, certainly a Bishop of the Church of God in Christ sending sexually explicit videos to a woman to whom he is not married would be unbecoming.

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<sup>3</sup> Ms. Pollard produced a text message showing that Bishop Jones actively engaged and made decisions to cover up their relationship. *See* Pollard Aff., Ex. 33 (Bishop Jones seeks to avoid Lubbock, Texas in January 2016 as a place for a secret rendezvous because he was aware of a jurisdictional conference at that time.

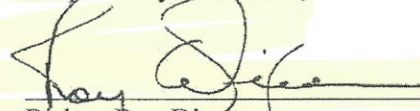
66. Bishop Jones concedes in his response to the Complaint that making a statement to Ms. Pollard's daughter was in bad taste. Arguably that statement could also be construed as conduct unbecoming of a Bishop. Only the Board of Bishops at large can decide.

67. In short, there is an avalanche of evidence suggesting conduct unbecoming of a Bishop.

68. Given the detailed affidavit, the videos, pictures, and text messages, the Grievance Committee has no choice but to submit this matter to the Board of Bishops at large for trial.

WHEREFORE, the Grievance Committee finds that there is just cause to believe that Bishop James L'Keith Jones, Jurisdictional Prelate of New Mexico Jurisdiction, has violated Article VIII, §D, ¶1(h) of the COGIC Constitution, conduct unbecoming a Bishop, by and because of his sexual and illicit relationship with Kimberly D. Pollard.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Roy Dixon", is written over a horizontal line.

Bishop Roy Dixon  
Committee Chairman

Dated: September 18, 2016

# **EXHIBIT B**

BEFORE THE BOARD OF BISHOPS  
CHURCH OF GOD IN CHRIST, INC.  
CHAIRMAN, BISHOP JOHN H. SHEARD

IN RE COMPLAINT OF KIMBERLY POLLARD )  
AGAINST BISHOP JAMES L'KEITH JONES, )  
NEW MEXICO JURISDICTION OF THE )  
CHURCH OF GOD IN CHRIST, INC. )  
\_\_\_\_\_ )

**FINAL ORDER AND JUDGMENT**

Now on this \_\_\_\_ day of April, 2017, this matter comes before the Board of Bishops  
chaired by Bishop John H. Sheard, on his own motion.

**I. RELEVANT FACTUAL AND PROCEDURAL HISTORY**

1. On or about May 20, 2016, Complainant, Kimberly D. Pollard, filed a Complaint with the Board of Bishops alleging, among other things, that Bishop James L'Keith Jones ("Respondent"), prelate of the Ecclesiastical Jurisdiction of New Mexico, violated the Church of God in Christ Constitution ("COGIC Constitution") and the rules and regulations of the Church, when they committed adultery.

2. The Complaint was forwarded to the Grievance Committee for investigation.

3. Once the Grievance Committee received the Complaint, it investigated Complainant's allegations. The investigation includes the review of various documents, pictures, and videos supporting the allegations set forth in the Complaint.

4. On or about September 21, 2016, after it completed its investigation, the Grievance Committee issued a Statement of Alleged Violations. The Statement of Alleged Violations described in great detail the nature of Respondent's infractions, and set forth three counts (Counts I, II, and IV) of misconduct.



5. On November 10, 2016, the Board of Bishops, by unanimous vote of its members present and voting, agreed to advance this matter for trial before the Respondent's peers.

6. On November 14, 2016, the Chairman of the Board of Bishops set this matter for trial to begin on January 17, 2017.

7. On January 12, 2017, the Chairman of the Board of Bishops continued the trial until the Women's Convention, which is set to begin on May 30, 2017, in Orlando, Florida.

8. On February 28, 2017, a new attorney for Respondent, Vicky J. Currie, entered her appearance in this matter.

9. Ms. Currie stated that Respondent determined to exercise his rights pursuant to Rules of Trial Procedure 7(c) and "resolve the issues set forth in the Statement of Alleged Violations".

10. Specifically, Respondent admitted to Counts I, II, and IV of the Statement of Alleged Violations. Additionally, pursuant to Rule of Trial Procedure 7(c), Respondent waived his rights to an adjudicatory hearing and his rights to a sanction hearing.

11. Following Respondent's submission of his Rule 7(c) admission and waivers, the Executive Committee of the Board of Bishops met and recommended by a majority of its members that the following sanctions should be imposed on Bishop James L'Keith Jones:

- Respondent will be suspended from his duties as a Jurisdictional Bishop of the Ecclesiastical Jurisdiction of New Mexico and also as Pastor of Metropolitan Church of God in Christ for one year and one day ("Initial Suspension Term"); during the Initial Suspension Term, Respondent may not wear clerical vestments of any office of the Church; Respondent may not sit in the pulpit or any position of ministerial authority; however, Respondent may attend church services as parishioner sitting in the congregation; Respondent may not provide any ministerial counseling to parishioners or others; Respondent may not perform any ordinance of the Church, including, but not limited to, marriage ceremonies, water baptism, communion, and funerals; during Respondent's Initial Suspension Term, Metropolitan Temple Church of God in Christ and the New Mexico Ecclesiastical Jurisdiction will be under the oversight of the General Board. The Initial



Suspension Term began on November 11, 2016 and will continue through midnight on November 12, 2017.

- Following the expiration of the Initial Suspension Term, Respondent will automatically be placed on probation for a period of two additional years ("Probation") without any further notice or documentation; if at any point during the period of Probation Respondent violates the COGIC Constitution, or any other rules or regulations of the Church, or any other civil or criminal law, such violation will automatically and summarily terminate the Probation ("Probation Violation"), and Respondent will be returned to the suspension pursuant to the terms set forth in the previous paragraph of this Final Order and Judgment and continuing for a period of time to be determined by a majority vote of the Executive Committee in their sole and absolute discretion; whether a Probation Violation has occurred will be determined by a majority vote of the Executive Committee.
- During the Initial Suspension Term and subsequent Probation, Respondent must meet and confer with three (3) designated members of the Board of Bishops on a quarterly basis ("Spiritual Accountability Team"); the Spiritual Accountability Team will provide a written report to the Executive Committee within 10 days following each meeting with Respondent; the members of the Spiritual Accountability Team will be determined by the Chairman of the Board of Bishops within ten (10) days of entry of a Final Order and Judgment.
- Respondent must submit himself to personal counseling related to the matters for which he has been charged and for which he has admitted culpability, and continue that counseling until either released by the counselor or completion of Probation, whichever occurs first; the counselor will be chosen by the Executive Committee of the Board of Bishops.
- Respondent must pay all Board of Bishops' costs and expenses related to this matter, including legal fees in the amount of \_\_\_\_\_ by or before the expiration of the suspension period on a schedule determined by the Executive Committee.
- Following entry of the Final Order and Judgment Respondent must verbally apologize to the Board of Bishops for the charges for which he has admitted culpability.

WHEREUPON, the Board of Bishops, by a majority of its members present and voting, after reviewing the Statement of Alleged Violations, the proposed Final Judgment and Order, and Respondent's comments regarding the same find:

1. That Bishop James L'Keith Jones has admitted to Counts I, II, and IV of the Statement of Alleged Violations;
2. That Bishop James L'Keith Jones has waived his rights to an adjudicatory hearing under the Rules of Trial Procedure and Article VIII of the COGIC Constitution; and
3. That Bishop James L'Keith Jones has waived his right to a sanction hearing pursuant to the Rules of Trial Procedure.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the Board of Bishops, pursuant to its authority, set forth an Article VIII, §D, ¶2(j) of the COGIC Constitution determined by majority vote of its members, that penalties assessed to Bishop James L'Keith Jones above described and set forth in this Final Order and Judgment are appropriate and shall be imposed and implemented.

IT IS SO ORDERED.

Dated April \_\_\_\_\_, 2017

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BISHOP JOHN H. SHEARD  
CHAIRMAN, BOARD OF BISHOPS

# EXHIBIT C



**Sent Via Electronic Delivery**

March 24, 2017

Bishop William H. Watson, III  
Secretary of the Board of Bishops

**RE: POLLARD vs. BISHOP JAMES L'KEITH JONES**

Dear Bishop Watson, III:

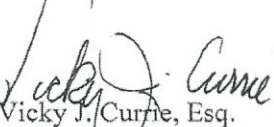
Greetings and God's blessing to you in the Mighty, Matchless name of our Lord and Savior Jesus Christ

I am writing to provide Bishop James L'Keith Jones' written response to the Executive Committee of the Board of Bishops' Memorandum and Report dated March 10, 2017 and the recommended sanctions to be imposed upon him.

Please know that Bishop Jones' response is only being sent to you per your request.

If you have any questions or concerns please feel free to contact me directly at (253) 381-6927 or my office at (253) 588-9922, currielawfirm@gmail.com.

Respectfully,

  
Vicky J. Currie, Esq.  
Attorney for Bishop James L'Keith Jones

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VICKY J CURRIE, Esq.  
732 Pacific Ave Tacoma, WA 98402  
(253) 588-9922 FAX (253) 983-1545

Page 1

**EXHIBIT**

**C**



To: Board of Bishops  
Church Of God In Christ

This is my official response to the Executive Committee of the Board of Bishops of the Church Of God In Christ.

Please know that I, Bishop James L'Keith Jones, consider it a pleasure and an honor to serve the church and the Body of Christ in any capacity. I was born in this church, saved at the age of 10 and filled with the Holy Ghost at the age of 15. I acknowledged my calling to the ministry at the age of 20, begin Pastoring at the age of 30 and became the Jurisdictional Bishop of the State of New Mexico at the age of 47. I have given my life to the church and to my leaders, my predecessors and the body of Christ at large.

The case and allegations of Pollard vs. Bishop James L'Keith Jones is an exception to the life I have lived for over 50 years. It was never my intent to bring any exposure or reproach against the church and most importantly, the Board of Bishops. I take full responsibility for my actions, my err in judgement, and any interaction that is considered to be a violation of the rules and doctrines of the Church Of God In Christ. It is my failure to execute proper judgment and right choices. In no time ever in my life has it been my action or intent to bring reproach to any faction attached to me.

To date I have complied and cooperated with all the actions of the leadership of the church. Prior to any actions executed by the Board of Bishops, it was my willful action to go before God, my wife and family, my Jurisdiction at large to openly repent of any infractions I have caused. I remain in a repentant state. *(For I acknowledge my transgressions: and my sin is ever before me. Against thee, thee only, have I sinned, and done this evil in thy sight: that thou mightest be justified when thou speakest, and be clear when thou judgest. Psalms 51:3-4)*

On September 21<sup>st</sup>, the Board of Bishops voted twice to forego a trial; I was humbled by their actions and remained quiet, discreet and respectful of the action of the Board of Bishop. I never took the opportunity to announce, publicize or revel what had taken place. Subsequently, the Board of Bishops unprecedentedly reversed its on actions which resulted in a suspension, while pending trial with the Board of Bishops was to be adjudicated. I was notified of suspension the day before Thanksgiving, however, I have yet to rebel or protest the actions of the leadership.

During the time of suspension, I have remained very quiet, honorable, respectful and prayerful. I continue to abide by the stipulations of the suspension while remaining faithful to the church, all financial obligations and most importantly, my relationship with my wife. I persist to serve God and adhere to my calling by my attendance and sacrificial giving. Moreover, in order for the local church to continue to thrive, I've had to sacrifice the majority of my salary prior to the November 2016 suspension, such remains in place today.



I acknowledge the impact of my past has had on my present situation. Because of this, I value what is assigned to me and have taken the necessary precautions to avoid such indecorous actions again. Presently, I am subscribed to counseling/therapy, report to my Senior Spiritual Advisors and the creation of a Personal Accountability Board of seven men.

I offer myself to this Board of Bishops as a declaration of my willingness to arbitrate the suggested sanctions, to move forward to the things or relevance that need to be done. I offer any necessary apologies that may need to be rendered in this case and to any individuals associated with this case.

Humbly Submitted,

Bishop James L'Keith Jones

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2017 MAR 17 PM 1:30

DEPUTY CLERK *AC*

KIMBERLY D. POLLARD and J.S. (A  
Minor Child),

PLAINTIFFS,

vs.

CHURCH OF GOD IN CHRIST, INC., an  
Active Domestic Tennessee Nonprofit  
Corporation, and CHURCH OF GOD IN  
CHRIST, BOARD OF BISHOPS, and BISHOP  
JAMES L'KEITH JONES,

DEFENDANTS.

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CIVIL ACTION CAUSE NUMBER

2:16-CV-238-J

**FINAL JUDGMENT**

The Court having granted Plaintiffs' motion for entry of a final default judgment in favor of the Plaintiffs and against Defendant Bishop James L'Keith Jones, Individually, because of the Defendant's default by failure to timely answer the Plaintiffs' original complaint, a final default judgment is hereby entered in favor of Plaintiffs Kimberly D. Pollard, Individually and as Personal Representative of J.S., a minor, against Defendant Bishop James L'Keith Jones, Individually, in the total amount of \$750,000.00 in damages, plus reasonable and necessary costs in this action. This judgment is a final judgment on all of the claims and causes of action brought herein by both the Plaintiffs against Defendant Bishop James L'Keith Jones.

It is therefore ORDERED, ADJUDGED, and DECREED that Plaintiffs Kimberly D. Pollard, Individually and as Personal Representative of J.S., a minor, have and recover the sum of Seven Hundred and Fifty Thousand Dollars and No Cents (\$750,000.00) from Defendant Bishop James L'Keith Jones', Individually, plus Plaintiffs' reasonable and necessary costs; and it is



FURTHER ORDERED, ADJUDGED, and DECREED that the Plaintiffs recover post-judgment interest on the total amount awarded herein at an annual rate of 1.01% per annum from the date of this Final Judgment until it is paid in full.

It is SO ORDERED, ADJUDGED, and DECREED.

Signed and Entered this the 17<sup>th</sup> day of March, 2017.

  
\_\_\_\_\_  
MARY LOU ROBINSON  
SENIOR UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

FOR THE NORTHERN DISTRICT OF TEXAS

2017 AUG -3 PM 2:36

AMARILLO DIVISION

DEPUTY CLERK

*ac*

KIMBERLY D. POLLARD and J.S. (A  
Minor Child),

PLAINTIFFS,

vs.

CHURCH OF GOD IN CHRIST, INC., an  
Active Domestic Tennessee Nonprofit  
Corporation, and CHURCH OF GOD IN  
CHRIST, BOARD OF BISHOPS, and BISHOP  
JAMES L'KEITH JONES,

DEFENDANTS.

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CIVIL ACTION CAUSE NUMBER

2:16-CV-238-J

**ORDER DENYING MOTION TO SET ASIDE DEFAULT JUDGMENT**

Before the Court are Defendant James Jones' motions, filed April 17 and June 26, 2017, to set aside the final judgment entered against him, Plaintiffs' responses in opposition to that request, and Defendant Jones' reply brief.

It is clear from the record that on January 25, 2017 Defendant Jones was properly served by a licensed private process server with a copy of both the original complaint *and* a summons, but failed to timely file an answer or otherwise timely respond in this civil lawsuit. It is clear from the record that Defendant Jones is not disputing any of the factual allegations asserted against him in the complaint, but admitted to his co-Defendant the truth of the core factual allegations asserted against him in the original complaint.

Upon motion of the Plaintiffs, a final adverse judgment was entered against him on March 17, 2017 for an amount far less than was pled for in the original complaint.



Defendant has not shown adequate grounds for relief from the judgment entered. He does not show excusable neglect, or plead newly discovered evidence showing his innocence of the claims alleged. He has not shown that it is inequitable for the final judgment not to be reversed or set aside. He has not claimed fraud, inadvertence or surprise. His claim that a mistake has been made, that is, that the summons was not also delivered to him by either the process server *or* by the service by mail effectuated upon him by Plaintiffs' counsel, is not credible.

For all of those reasons, Defendant's motion is denied.

It is SO ORDERED.

Signed this the 3<sup>Rd</sup> day of August, 2017.

/s/ Mary Lou Robinson  
**MARY LOU ROBINSON**  
SENIOR UNITED STATES DISTRICT JUDGE